

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JAMIE L. RISNER

PLAINTIFF

v.

No. 3:13-cv-153-DPM

**DeVILBISS AIR POWER COMPANY
d/b/a DeWalt Industrial Tool Co.; and
SAM'S WEST INC.**

DEFENDANTS

ORDER

Unopposed motion, No 14, granted. The substitution of Sam's West, Inc. for Wal-Mart Stores, Inc. destroyed complete diversity. No 7 & 8. The Court appreciates Risner's candor in alerting the Court to this defect. Risner's complaint is dismissed without prejudice for want of subject matter jurisdiction.

So Ordered.

DPMarshall Jr.
D.P. Marshall Jr.
United States District Judge

11 October 2013